

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/7/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FLORIBERTO VILLALVA,

Plaintiff,

-against-

477 FOOD CORP. and AKRAM ALAZAB,

Defendants.
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24-CV-7350 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 7, 2025, the Court held a hearing regarding Plaintiff's motion for default judgment;

WHEREAS the Court determined that Plaintiff did not adequately allege concrete injury sufficient to show standing for his fifth and sixth causes of action seeking statutory damages for Defendants' alleged failure to provide wage notices and statements, *see* Compl., Dkt. 5, ¶¶ 53–60; and

WHEREAS the Court requires additional information from Plaintiff before it enters default judgment against Defendant;

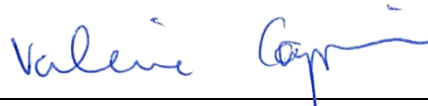
IT IS HEREBY ORDERED that by **Friday, February 14, 2025**, Plaintiff must file an affidavit by the translator who prepared the Declaration of Plaintiff in Support of Plaintiff's Application for Default at Dkt. 17. The affidavit must describe the translator's qualifications and the steps the translator took to ensure that the Declaration accurately reflected Plaintiff's statements.

IT IS FURTHER ORDERED that the fifth and sixth causes of action of the Complaint are DISMISSED without prejudice for lack of standing. By **Friday, February 14, 2025**, Plaintiff must submit revised damage calculations that reflect the dismissal of those two counts.

IT IS FURTHER ORDERED that Plaintiff must serve this Order on Defendants and file proof of service via ECF by **Tuesday, February 11, 2025**. Plaintiff must also serve the submissions that are due on February 14, 2025, on Defendant and file proof of service via ECF by **Tuesday, February 18, 2025**.

SO ORDERED.

Date: February 7, 2025
New York, New York



VALERIE CAPRONI
United States District Judge